

PUBLIC NOTICE

TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION

Division of Water Pollution Control
7th Floor, L&C Annex
401 Church Street
Nashville, Tennessee 37243

TO WHOM IT MAY CONCERN: The application described below has been submitted for an Aquatic Resource Alteration Permit under *The Tennessee Water Quality Control Act of 1977*, T.C.A. §69-3-108. In addition, federal permits may be required from the U. S. Army Corps of Engineers and the Tennessee Valley Authority under §404 of the *Clean Water Act* and §26a of the *Tennessee Valley Authority Act*, respectively. Section 401 of the *Clean Water Act* requires that an applicant obtain a water quality certification from the state when a federal permit is required. This notice may cover applications subject to §401.

No decision has been made whether to issue or deny this permit. The purpose of this notice is to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. Persons wishing to comment on the proposal are invited to submit written comments to the department. Written comments must be received within **thirty days of the date that this notice is posted**. Comments will become part of the record and will be considered in the final decision. The applicant's name and permit number should be referenced.

The permit application, supporting documentation including detailed plans and maps, and related comments are available for review and/or copying at the department's natural resources section.

Interested persons may also request in writing that the department hold a public hearing on this application. The request must be filed within the comment period, indicate the interest of the person requesting it, the reasons that the hearing is warranted, and the water quality issues being raised. When there is sufficient public interest in water quality issues, the department shall hold a public hearing in accordance with Rule 1200-4-7-.04(4)(f).

In deciding whether to issue or deny a permit, the department will consider all comments of record and the requirements of applicable federal and state laws. In making this decision, a determination will be made regarding the lost value of the resource compared to the value of any proposed mitigation. The department shall consider practicable alternatives to the alteration. The department shall also consider loss of waters or habitat, diminishment in biological diversity, cumulative or secondary impacts to the water resource, and adverse impact to unique, high quality, or impaired waters.

PERMIT APPLICATION NUMBER: NRS 07.162

APPLICANT: Garth Branch
2215 Madison Street
Clarksville, TN 37043
931-645-7418

LOCATION: Spring Creek
Montgomery County (lat36.5991/long87.3008)

USGS TOPOGRAPHIC QUADRANGLE: Clarksville, TN

WATERSHED DESCRIPTION: The proposed impacts would affect Spring Creek and three unnamed tributaries to Spring Creek. Spring creek varies in width 20 to 40 feet flowing over a bedrock/clay substrate with a riparian zone consisting of mature hardwoods. The land use in the area is agricultural bordering a well developed commercial district. Spring Creek is a major regional drainage feature flowing into the Red River.

PROJECT DESCRIPTION: The project would involve the installation of 4740 feet of 24 inch gravity sewer that crosses Spring Creek in 4 locations and three unnamed tributaries to Spring Creek. The applicant proposes to construct coffer dams, dewatering structures, and diversion channels to allow for open trench excavation of the trench. Sediment bearing water within the work area would be pumped to a dewatering

structure outside of the stream banks to facilitate sediment removal. Construction would be timed to coincide with low flow conditions within the affected channels.

In accordance with the Tennessee Antidegradation Statement (Rule 1200-4-3-.06), the division has determined that the proposed activity will not result in degradation to water quality.

More details on the proposal can be viewed on the Internet at <http://www.state.tn.us/environment/wpc/ppo/arap>.

PERMIT COORDINATOR: Brian Canada

The permit application, supporting documentation including detailed plans and maps, and related comments are available at the department's address for review and/or copying. The department's address is:

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Nashville, TN 37243



